

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)**

**FIDELITY & GUARANTY LIFE
INSURANCE COMPANY**

Plaintiff,

v.

ADAM S. GARZA, et al

Defendants.

CASE NO. 3:11-cv-00223

MAGISTRATE JUDGE SHARON L. OVINGTON


AGREED JUDGMENT ENTRY

It having appeared to the Court that the remaining parties in this action have settled their differences and have agreed concerning the disposition of the sum of \$58,101.22, plus interest, which amount has been heretofore deposited into the Registry of the Court in accordance with the Agreed Final Order of Interpleader, the Court now approves said settlement and accordingly orders:

1. That the Clerk make distribution and pay from said Registry fund as follows:
 - a. To John E. Fulker, Attorney for Defendant, Lloyd T. Steinmetz, Personal Representative for the Estate of Adan S. Garza, Deceased, 12 South Cherry Street, P.O. Box 8, Troy, Ohio 45373, the sum of \$30,000.00 plus accrued interest thereon;
 - b. To Eric H. Brand, Attorney for Defendants Bill Gelhaus and Tom Helmstetter, Co-Trustees of the Aloys J. Brockman Trust, 100 Washington Avenue, P.O. Box 158, Greenville, Ohio 45331, the sum of \$28,101.22, plus accrued interest thereon.
2. That, upon the event of such distribution, this cause is finally terminated, and dismissed, with prejudice as to all parties, and the costs assessed equally to the two remaining parties.

3. The Court further determines this to be a final Judgment Entry. Each party waives any and all rights of appeal.

IT IS SO ORDERED.


United States Magistrate Judge Sharon L. Ovington

Approved:

s/John E. Fulker
John E. Fulker (0003295)
FAUST, HARRELSON, FULKER, McCARTHY & SCHLEMMER, LLP
P. O. Box 8
12 South Cherry Street
Troy, Ohio 45373
Phone: (937) 335-8324
Facsimile: (937) 339-7155
e-mail: jefulker@woh.rr.com
Attorney for Defendant Lloyd T. Steinmetz,
Personal Representative of the Estate of Adan S.
Garza, aka Adam S. Garza, Deceased

s/Eric H. Brand
Eric H. Brand (0004986)
GOUBEUX & BRAND
P. O. Box 158
100 Washington Avenue
Greenville, Ohio 45331
Telephone: (937) 548-2211
Fax: (937) 548-2212
e-mail: eric@brand-law.com
Attorney for Defendants
Bill Gelhaus and Tom Helmstetter
Co-Trustees of the Alloys J. Brockman Trust